

LEGAL SEPARATION WITHOUT MINOR CHILDREN

3

RESPONSE

Part 3: Respond to a Petition for Legal Separation

(Forms and Instructions)

RESPONSE

TO PETITION AND PAPERS FOR LEGAL SEPARATION WITHOUT MINOR CHILDREN

CHECKLIST

Use the forms and instructions in this packet **only if** the following factors apply to your situation:

- ✓ You want to file a response to a Petition for Legal Separation Without Minor Children, **AND**
- ✓ You and your spouse have no minor children with each other, **AND**
- ✓ You do not agree with what your spouse wrote in the Petition.

READ ME: Consulting a lawyer before filing documents with the court may help prevent unexpected results. A list of lawyers you may hire to advise you on handling your own case or to perform specific tasks, as well as a list of court-approved mediators can be found on the Law Library Resource Center website.

Legal separation without minor children

Part 3: Respond to a Petition for Legal Separation

This packet contains court forms and instructions to file for a legal separation without minor children. Items in **bold** are forms that you will need to file with the Court. Non-bold items are instructions or procedures. Do not copy or file those pages!

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The documents you have received are copyrighted by the Superior Court of Arizona in Maricopa County. You have permission to use them for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents.

Instructions and Procedures: How to respond to a petition for legal separation without minor children

Completing the forms in this packet:

Most court forms can be filed electronically (eFile), and some forms in this packet may be auto generated by the eFiling system. If you will be eFiling your forms, you will not need to complete all forms in this packet. For more information about eFiling and which forms will be auto generated by the eFiling system, read the eFiling instructions first:

<https://superiorcourt.maricopa.gov/media/7446/dref13i.pdf>.

- Type or print with black ink only.
- Complete the “Sensitive Data Sheet” (Do not copy or provide this document to the other party).
- Make sure your form is titled “Response to Petition for Legal Separation Without Minor Children.”
- In the top left corner of the first page, fill out the following: Your name; address (if not protected); city, state and zip code; telephone number; leave the ATLAS number blank. Then state whether you are representing yourself or whether an attorney represents you.
- Fill in the name of Petitioner/Party A and Respondent/Party B exactly the same way as it looks on the Petition. Do this for every document you file with the court regarding this case from now on.
- Use the case number that is stamped in the upper right-hand corner of the Petition. Do this for all documents you file with the court regarding this case from now on.
- Wait to sign the Response until you are in front of the Deputy Clerk of Superior Court or a Notary.

Information About Property and Debts:

- Community property is generally any property you and your spouse purchased during your marriage or that was paid for during the marriage, regardless of who uses the property or who actually paid the money.
- Unless property was a gift or inheritance, all property gotten during the marriage is community property, and both you and your spouse are entitled to a roughly equal share of this property.

- Community debts, likewise, belong to both people, regardless of who spent the money.
- If you have questions, or have a lot of community assets, you may want to consult an attorney regarding issues of community property and debts before filing your Response and other papers.
- It is very important that you be specific in your responses about the property and debt. Describe the property and debt that should go to or be paid by you in detail and describe the property and debt that should go to or be paid by your spouse in detail. Never list an item and check both Party A and Party B box.

Types of property include:

- a) Real estate (property or home). Most property also has a legal description such as "LOT 77, Pine Tree Acres, according to Book 111 of Maps," etc. You should use this description, which will appear on your deed papers, if you have it, as well as the complete address of the property when listing the property in the Response. Cemetery plots are also considered real property.
- b) Household furniture. This includes sofas, beds, tables, etc.
- c) Household furnishings. This generally includes other things in the house other than furniture, e.g. dishes, small appliances, rugs, etc.
- d) Other items (explain). List the things that you specifically want to go to one person or another that have not already been listed.
- e) Pension/retirement fund/profit sharing/stock plan. You and your spouse each generally have a right to a one-half interest in any spouse's plan, ONLY for the number of years you were married. The longer you have been married, the greater your financial interest in a spouse's plan, up to 50 percent if you have been together the whole period of the plan. If you mark on the Response that you or your spouse has one of these plans, you should see an attorney about a document called a Qualified Domestic Relations Order or QDRO. A QDRO is a very specialized legal document that requires a professional's assistance to prepare. To find out what the actual cash value and present-day value of the pension plan is, you may want to consult with an accountant experienced in valuing pension plans.

Information About Spousal Maintenance/Support:

- Spousal maintenance/support is the term used to describe money paid from one spouse to the other spouse as part of a Divorce or Legal Separation Agreement or Order. You may know the term as alimony.
- The money is designed as a safety net for a spouse who cannot provide for his or her needs or who meets other requirements listed.

- The idea behind spousal maintenance/support (alimony) is that accomplishments during your marriage, including increases in earning potential and living standards are shared and earned by both parties to a marriage.
- If applicable, Use the free online spousal maintenance calculator at the following website to complete a spousal maintenance worksheet:

Website: <https://www.superiorcourt.maricopa.gov/app/selfsuffcalc/>

After completing the worksheet, print it out and file it with your papers.

Information About Conciliation:

- The court has a service called Conciliation. Conciliation allows you to meet with trained professionals to resolve the issues of your marriage or the issues in dispute.

Procedures: How to file your response:

Step 1: Complete the Family Department Sensitive Data / Coversheet without Children and the Response. If you are requesting spousal maintenance, complete the spousal maintenance worksheet, as described above.

Step 2: Make 2 copies of the Response and (if applicable) the Spousal Maintenance Worksheet.

If you will eFile your forms, you may not need as many paper copies. You will need a paper set of the filed forms to serve on the other party, Division of Child Support Services if they are involved in your case, and one for your judge or Family Administration (when required). For more information about how to eFile your papers, read the eFiling instructions:

<https://superiorcourt.maricopa.gov/media/7448/dref93i.pdf>

Step 3: Separate your documents into three (3) sets:

<p>Set 1 - originals:</p> <ul style="list-style-type: none"> • Family Department Sensitive Data / Coversheet without Children • Response • Spousal Maintenance Worksheet (if applicable) 	<p>Set 2 - your copies:</p> <ul style="list-style-type: none"> • Response • Spousal Maintenance Worksheet (if applicable) 	<p>Set 3 – your spouse’s copies:</p> <ul style="list-style-type: none"> • Response • Spousal Maintenance Worksheet (if applicable)
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Step 4: File the papers at the Court:

Go to the Clerk of Superior Court filing counter. The court is open from 8:00 a.m.- 5:00 p.m., Monday through Friday. You should go to the court at least two hours before it closes. You may file your court papers with the Clerk of Superior Court at the following locations:

Clerk of Superior Court
250 West Second St.
Yuma, Arizona 85364

Fees: A list of current fees is available from the Law Library Resource Center and from the Clerk of Superior Court's website.

If this is the first time one of the parties or his or her attorney has "appeared", that is, filed papers in this case, an "appearance fee" (also known as a "response" or "answer" fee) will be due from that party at the time of filing. If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a deferral (payment plan) when you file your papers with the Clerk of Superior Court. Deferral Applications are available at no charge from the Law Library Resource Center.

Hand all three (3) sets of your court papers to the Clerk of Superior Court along with the correct filing fee.

Make sure you get back the following from the Clerk:

- Your set of copies
- Your spouse's set of copies.

Step 5: Send papers to your spouse:

Mail or hand-deliver the other copy of your Response (and, if applicable, the Spousal Maintenance Worksheet) to the other party (or the party's attorney if he/she is represented by an attorney. If the person is represented by an attorney, the attorney's name and address may be found on the Petition in the upper left-hand corner.)

Keep one copy of your Response for yourself.

Step 6: What will happen next? You will receive notice to attend either a hearing or a conference.

Helpful Information: How to file a response to a petition for legal separation without minor children

Important Notice to Victims of Domestic Violence:

- Domestic violence can be part of any marriage. Domestic violence can include physical violence, such as hitting, slapping, pushing or kicking directed against you and/or your children, and threats of physical violence made against you and/or your children, and/or regular verbal abuse used to control you and/or your children.
- All court documents request your address and phone number. If you are a victim of domestic violence and the other party does not know your address, you must file a *Request for Protected Address* and ask that your address not be disclosed on court papers. With that order, you do not need to put your address and phone number on your court papers. Then, write "protected" where asked for this information and update the Clerk of Superior Court with an address and phone number as soon as possible. The Clerk of Superior Court will keep your address confidential.

Papers You Should Have Received with The Petition for Legal Separation:

Summons: You have been summoned to appear in court. The Summons tells you how many calendar days you have to file a Response, depending on how you were served with the court papers. Be sure to file a written response on time. If the time for you to file a written response has passed, your spouse must complete an *Application and Affidavit for Entry of Default* and send you a copy of that document. You will have 10 more days in which to file your *Written Response*. If you do not file a written response on time, a default judgment can be entered. That means, you will not get to tell the judge your side of the story.

Preliminary Injunction: This is an order from the court to both spouses about what you can and cannot do with property, minor children, and other issues while the legal separation is pending. If you or your spouse do not obey this order, the party who disobeys it can be in serious trouble with the court. If your spouse disobeys the order, see a lawyer for help on what to do. The Law Library Resource Center has a list of lawyers who will help you help yourself, and this list tells how much they charge to help you.

Information for Conciliation Court: You may or may not have received a paper on this. There is no requirement that your spouse serve this document on you. However, the court has services to help couples with their marriage, called "Conciliation" and "Mediation." You can ask for an appointment by filing a written Petition, to discuss your marriage with these court professionals. You can get the forms for the appointment at the Law Library Resource Center.

Petition for Legal Separation without children: This is the form your spouse completed to tell the court his or her side of the story about the marriage. Read each and every word very carefully and decide what you want to do. Here are your choices:

1. Do nothing. This means your spouse can get a legal separation and tell the judge his or her side of the story, without you telling your side at all. This is called a “default.” Even in these cases, the judge will try to decide what is best, but it is never a good idea to ignore the court proceeding and have a court order that you had no input on. You should see a lawyer before you decide to do nothing.
2. Decide with your spouse how you want to handle everything: property, debt, spousal maintenance (alimony), and everything else about the marriage. Then you and your spouse file papers in the court stating your agreement on everything. This is called a “consent or stipulation.” This is often the best way to proceed, if you and your spouse desire to live separate and apart and can talk about the critical issues to decide how you both want to handle the legal separation. Mediators can help you with this. The Law Library Resource Center has a list of mediators, and how much they charge to you.
3. File a Response stating your side of the story, and how you want to handle all of the issues. This will make your case a “contested matter.” But, even if you originally file a Response, you and your spouse can still decide to agree on something, or everything, and file court papers for a “consent or stipulation.” Mediators can help you with this, and the Law Library Resource Center has a list of mediators, and how much they charge to help you.

Spousal maintenance/support.

Spousal maintenance/support is the term used to describe money paid from one spouse to the other spouse as part of a divorce settlement. You may know the term as alimony. Spousal maintenance/support is designed as a safety net for a spouse who cannot provide for his/her needs or who meets other requirements listed in the Petition.

The idea behind spousal maintenance/support is that accomplishments during your marriage, including increases in earning potential and living standards, are shared and earned by both parties to a marriage. If applicable, complete the Spousal Maintenance Worksheet:

- Use the free online spousal maintenance calculator at the following website to complete a spousal maintenance worksheet:

Website: <https://www.superiorcourt.maricopa.gov/app/selfsuffcalc/>

- After completing the worksheet, print it out and file it with your papers.

How to Calculate the Last Day to file your response:

- It is better to prepare and file the Response before the last day to file your Response. The last day to file response may be calculated using the timetable below. It is helpful to use a calendar when calculating the last day to file.
- Use the timetable below. If the last day to file your response falls on a Saturday, Sunday, or legal holiday, you **DO NOT** count that day.
- Include weekends and holidays in your count until you reach the number of days under the “Count” column in the Time - Table below. If you file a written response with the court on time, the Petitioner cannot proceed by default.

Default Time Table

If you were served the Petition by this

<u>METHOD OF SERVICE</u>	<u>COUNT</u>	<u>EVENT</u>
Acceptance of Service in Arizona	20 Days	after the “Acceptance of Service” is filed
Acceptance of Service out-of-state	30 Days	after the “Acceptance of Service” is filed
Process Server in Arizona	20 Days	after YOU received papers from Process Server
Process Service out-of-state	30 Days	after YOU received papers from Process Server
Sheriff in Arizona	20 Days	after YOU received papers from the Sheriff
Sheriff out-of-state	30 Days	after YOU received papers from the Sheriff
Certified Mail in Arizona	20 Days	after YOU signed for the papers
Certified Mail out-of-state	30 Days	after YOU signed for the papers
Publication in Arizona	50 Days	after the 1 st date of publication
Publication out-of-state	60 Days	after the 1 st date of publication

How to complete a Spousal Maintenance Worksheet (Applies only to cases in which the original petition for dissolution or legal separation was filed on or after September 24, 2022)

In a dissolution of marriage (divorce) or legal separation, one party may request that the court order the other party to pay “spousal maintenance.” This is financial support paid by one party to the other party. The court considers certain statutory factors to decide whether a party is eligible for spousal maintenance. In these cases, either party may request that the other pay spousal maintenance.

Spousal Maintenance Guidelines:

For a case filed on or after September 24, 2022, if a person is eligible for spousal maintenance, then the court uses the Arizona Spousal Maintenance Guidelines to determine the amount and duration of the award for spousal maintenance.

The Guidelines can be found here:

<https://www.azcourts.gov/familylaw/Child-Support-Family-Law-Information/Spousal-Maintenance-Guidelines>.

Spousal Maintenance Calculator:

In any dissolution of marriage or legal separation case that was originally filed on or after September 24, 2022, when a party requests spousal maintenance, or requests to change a past spousal maintenance court order, a completed Spousal Maintenance Worksheet **must** be included under the following situations.

- When filing an Application for Entry of a Default Decree and the party seeking default proceeds by motion without a hearing (Rule 44.1, ARFLP)
- When the parties agree to spousal maintenance and are submitting either a Summary Consent Decree or Consent Decree for Court approval (Rules 45 and 45.1, ARFLP).

The worksheet is created using the FREE online Spousal Maintenance Calculator. Access to the internet is required. The online Spousal Maintenance Calculator can be found here:

<https://www.superiorcourt.maricopa.gov/app/selfsuffcalc/>.

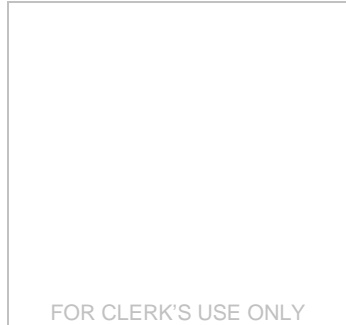
If you do not have access to the internet and/or a printer, you may use the computers at any Law Library Resource Center location. There is a small, per-page charge for printing.

Next Steps:

After completing the Spousal Maintenance Calculator, print out the Spousal Maintenance Worksheet in order to file it with your other paperwork.

When you have completed all necessary forms, go to the “Procedures” page and follow the steps.

Person Filing: _____
 Address (if not protected): _____
 City, State, Zip Code: _____
 Telephone: _____
 Email Address: _____
 ATLAS Number: _____
 Lawyer's Bar Number: _____



Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN YUMA COUNTY

 Petitioner / Party A

Case No. _____

 Respondent / Party B

ATLAS No. _____

FAMILY DEPARTMENT SENSITIVE DATA COVERSHEET WITHOUT CHILDREN (CONFIDENTIAL RECORD)

Fill out. File with Clerk of Superior Court. Social Security Numbers should appear on this form only and should be omitted from other court forms. Access Confidential pursuant to ARFLP 43.1(f).

A. Personal Information:	Petitioner / Party A	Respondent / Party B
Name	_____	_____
Gender	<input type="checkbox"/> Male or <input type="checkbox"/> Female	<input type="checkbox"/> Male or <input type="checkbox"/> Female
Date of Birth (Month/Day/Year)	_____	_____
Social Security Number	_____	_____

**WARNING: DO NOT INCLUDE MAILING ADDRESS ON THIS FORM
IF REQUESTING ADDRESS PROTECTION**

Mailing Address	_____	_____
City, State, Zip Code	_____	_____
Contact Phone	_____	_____
Receive texts from Court to contact phone number above?	<input type="checkbox"/> Yes <input type="checkbox"/> No texts	<input type="checkbox"/> Yes <input type="checkbox"/> No texts
Email Address	_____	_____
Current Employer Name	_____	_____
Employer Address	_____	_____
Employer City, State, Zip Code	_____	_____
Employer Telephone Number	_____	_____
Employer Fax Number	_____	_____

B. Type of Case being filed - Mark only one category. (*) Mark this box only if no other case type applies

Dissolution (Divorce) Annulment Other*
 Legal Separation Order Protection

C. Do you need interpreter? No Yes If Yes, What language? _____

DO NOT COPY THIS DOCUMENT. DO NOT SERVE THIS DOCUMENT TO THE OTHER PARTY.

Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

ATLAS Number: _____

Lawyer's Bar Number: _____

Representing Self, without a Lawyer OR Attorney for Petitioner OR Respondent



SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

Name of Petitioner/Party A

Case No. _____

RESPONSE to PETITION FOR
LEGAL SEPARATION WITHOUT
MINOR CHILDREN

Name of Respondent/Party B

STATEMENTS MADE TO THE COURT, UNDER OATH:

GENERAL INFORMATION

1. ABOUT MY SPOUSE

Name: _____

Address: _____

Date of Birth: _____

Occupation: _____

Starting with today, number of months/years in a row, my spouse has lived in Arizona:

2. ABOUT ME

Name: _____

Address: _____

Date of Birth: _____

Occupation: _____

Starting with today, number of months/years in a row, I have lived in Arizona:

3. ABOUT OUR MARRIAGE

Date of Marriage: _____

City and state or country where we were married: _____

4. ABOUT THE LEGAL SEPARATION

I want to be legally separated from my spouse, OR

I do not want to be legally separated from my spouse because my marriage is over and I want to be divorced.

INFORMATION ABOUT PROPERTY AND DEBTS

Instructions: You must be specific. You must describe the property and debt that should go to you or be paid by you and then check the box. You must then describe the property and debt that should go to or be paid by your spouse, and check the box. For example, under household furnishings you could say, blue and white living room sofa, and then check the box to say whether it should go to you or to your spouse. Never list an item and check both the Party A and the Party B box.

5.a. COMMUNITY PROPERTY: (check one box)

My spouse and I did not acquire any community property during the marriage, OR

My spouse and I acquired community property during our marriage, and we should divide it as follows:

Description of property	Party A	Party B	Value
<input type="checkbox"/> Real estate at: _____ Legal Description: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
<input type="checkbox"/> Real estate at: _____ Legal Description: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

<input type="checkbox"/>	Household furniture and appliances:			
	_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
	_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
	_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
	_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
<input type="checkbox"/>	Household furnishings:			
	_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
	_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
	_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
	_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
<input type="checkbox"/>	Other items:			
	_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
	_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
	_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

DESCRIPTION OF PROPERTY

<input type="checkbox"/>	Pension/retirement fund/profit sharing/stock plan/401K:			
	_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
	_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
<input type="checkbox"/>	Motor vehicles:			
	Make: _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
	Model: _____			
	VIN Number: _____			
	Lien Holder: _____			
		Party A	Party B	Value
	Motor vehicles:			
	Make: _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
	Model: _____			
	VIN Number: _____			
	Lien Holder: _____			

5.b. SEPARATE PROPERTY. (Check all boxes that apply.)

- I do not have any property that I brought into the marriage or separate property.
- My spouse does not have any property that he or she brought into the marriage or separate property.
- I have property that I brought into the marriage or I have separate property. I want this property awarded to me as described it below.
- My spouse has property that he or she brought into the marriage or has separate property. I want this property awarded to my spouse as described below.

Separate Property: (List the property and the value of the property, and check the box to tell the Court who should get the property.)

Description of property	Party A	Party B	Value
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

6.a. COMMUNITY DEBTS: (check one box)

- My spouse and I did not incur any community debts during the marriage, OR
- We should divide the responsibility for the debts incurred during the marriage as follows:

Description of debt	Party A	Party B	Value
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

6.b. SEPARATE DEBTS. (Check all boxes that apply.)

- My spouse and I do not have any debts that were incurred prior to the marriage or separate debt,
- OR

- I have separate debt or debt that I incurred prior to the marriage that should be paid by me as described below:
- My spouse has separate debt or debt that he or she incurred prior to the marriage that should be paid by my spouse as described below:

Description of debt	Party A	Party B	Value
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

7. TAX RETURNS: (Check this box if this is what you want).

- After the Judge or Commissioner signs the Decree of Dissolution of Marriage (Divorce), we will, subject to IRS Rules and Regulations, pay federal and state taxes as follows: For the calendar year (the year that the Decree is signed) and all future calendar years, each party will, subject to IRS Rules and Regulations, file separate federal and state income tax returns. Each party will give the other party all necessary documentation to do so.
- For previous years (the years we were married, not including the year the Decree was signed), (check one box)
 - The parties will file joint federal and state income tax returns. For previous calendar years, both parties will pay, and hold the other harmless from, 1/2 of all additional income taxes if any and other costs and each will share equally in any refunds. OR
 - The parties will file separate federal and state income tax returns. For previous calendar years, each party will pay and hold the other harmless from any income taxes and/or incurred as a result of the filing of that party's tax return and each party will be awarded 100% of any refund received as a result of the filing of that party's tax return.

8. SPOUSAL MAINTENANCE (ALIMONY) (check the box that applies to you):

- Neither party is entitled to Spousal Maintenance/support (alimony), OR
- Party A OR Party B is entitled to Spousal Maintenance/support because: (Check one or more of the box(es) below that apply. At least one reason must apply to get spousal maintenance/support.)
 - Party A, OR Party B

- Lacks sufficient property, including property apportioned to the spouse, to provide for that spouse's reasonable needs.
- Lacks earning ability in the labor market that is adequate to be self-sufficient.
- Is the parent of a child whose age or condition is such that the parent should not be required to seek employment outside the home.
- Has made a significant financial or other contribution to the education, training, vocational skills, career, or earning ability of the other spouse or has significantly reduced that spouse's income or career opportunities for the benefit of the other spouse.
- Had a marriage of long duration and is of an age that may preclude the possibility of gaining employment adequate to be self-sufficient.

9. PREGNANCY (Mark the box if it is true)

- Party A IS NOT pregnant, OR Party B IS NOT pregnant, OR
- Party A IS pregnant OR Party B IS pregnant

The baby is due on _____(date), (and check one box below):

- Party A and Party B ARE the parents of the child, OR
- Party A or Party B IS NOT the parent of the child, OR

10. SUMMARY OF WHAT I ASKED FOR THAT IS DIFFERENT FROM WHAT MY SPOUSE ASKED FOR IN THE PETITION: (Here summarize what is different between you want and what your spouse asked for.)

11. CONCILIATION.

- True or False. (Check one box.) The conciliation requirements under Arizona law either do not apply or have been met. (This must be a true statement or you cannot file for Legal Separation.)

12. WRITTEN AGREEMENT. CHECK ONLY IF TRUE:

- My spouse and I have a written agreement signed by both of us about the maintenance of a spouse, and division of property/debt, and I have attached a copy of the written agreement.

13. GENERAL DENIAL: I deny anything stated in the Petition that I have not specifically admitted, qualified, or denied.

REQUESTS TO THE COURT:

A. LEGALLY SEPARATE OR CHANGE TO DIVORCE:

- Legally separate the parties, OR
- Change this case to a divorce case because my marriage is over and either I or my spouse has lived in Arizona for the last 90 days.

B. SPOUSAL MAINTENANCE/SUPPORT (ALIMONY):

- Not applicable.
- Order spousal maintenance/support to be paid by:
- Party A, or Party B through the Clerk of Superior Court/Clearinghouse in the amount of \$_____ per month, and the statutory fee, beginning with the first day of the month after the judge or commissioner signs the Decree of Legal Separation and continuing until the person receiving the spousal maintenance/support is deceased, or for _____ months.

C. COMMUNITY PROPERTY:

- Make a fair division of all community property as requested in this Response.

D. COMMUNITY DEBTS:

- Order each party to pay community debts as requested in this Response, and to pay any other community debts unknown to the other party. Order each party to pay and hold the other party harmless from debts incurred by him or her since the parties' separation on (date): _____.

E. SEPARATE PROPERTY AND DEBT:

- Award each party his/her separate property and debt.

F. OTHER ORDERS I AM REQUESTING (Explain request here):

UNDER OATH OR AFFIRMATION

I swear or affirm under penalty of perjury that the contents of this document are true and correct to the best of my knowledge and belief.

Date

Signature

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by
(date)

_____.

(Notarial Officer's Stamp or Seal) _____
Notarial Officer

Copy of the foregoing mailed to the other party or his or her attorney on _____
Month/day/year

at the following address _____
